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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,985	07/21/2003	Liviu Diaconu	19357-094392	5507

7590

06/15/2005

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EXAMINER

SAETHER, FLEMMING

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/623,985	Applicant(s) DIACONU, LIVIU	
	Examiner Flemming Saether	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 11-16 is/are pending in the application:  
     4a) Of the above claim(s) 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*h/c*

***Election/Restrictions***

Applicant's election without traverse of group I in the reply filed on 3-17-05 is acknowledged. Accordingly, claim 12 is withdrawn from further consideration pursuant to 37 CFR 1.142(b).

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-4, 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US 1,927,780) in view of Koelsch (US 6,109,158). Anderson discloses a bolt retention assembly comprising a first component (5) having a threaded hole (8) and a counter-bore (7) of greater diameter forming a generally perpendicular relief therebetween and, a bolt having a head (9) of greater diameter than said threaded hole, a shank portion (11) of lesser diameter than said threaded hole so as to slide therein and, a threaded portion (10) of a lesser diameter than said counter-bore to slide therein. The threaded portion of the bolt being threaded through the threaded hole so as to retain the bolt to the first member. There further being provided a second member (2) with a second threaded hole (6) to receive the threaded portion of the bolt in the fully assembled condition but, the second member is not shown to have a counter-bore. Koelsch also discloses a bolt retention assembly but, teaches to provide

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the second threaded hole (36) with a counter-bore of greater diameter (Figs. 6 and 7) which extends from a first surface to a generally perpendicular relief and threads extending from the relief to a second surface. At the time the invention was made, it would have been obvious for one of ordinary skill in the art to form the second threaded hole of modified Anderson with a second counter-bore as disclosed in Koelsch in order to facilitate alignment by providing a larger target to receive the screw tip. The improved alignment would make it easier to properly orient the bolt with the second threaded hole to speed assembly. Once the combination was made, the threaded portion of the bolt would have to have a length less than the combined length of the counter-bores for the device to be operable as disclosed in both Anderson and Koelsch.

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson as applied to claims 1-4 above, and further in view of Coleman (US 6,146,111). Anderson does not disclose the bolt retention assembly in combination with a water pump. Coleman discloses it is known to mount a water pump (20) to an engine block (82) by a plurality of bolts (23) positioned through bores (23) in the water pump. At the time the invention was made, it would have been obvious for one of ordinary skill in the art to use the bolt retention assembly as disclosed in Anderson to mount a water pump as disclosed in Coleman so that the bolts would not be lost from the water pump. Indeed, the skilled artisan would have recognized the same advantageous of bolt retention to prevent loss of the bolt in numerous environments including mounting water pumps.

***Response to Remarks***

The rejection under 35 USC §102(b) has been withdrawn as necessitated by applicant's amendment.

Applicant's argument remarks in regards to the 35 USC § 103 in view of Coleman add no new arguments thus no response is believed necessary.

Applicant argues that any combination of Anderson and Koelsch fail to teach the combined length of the counter-bores being greater than the length of the threaded portion of the bolt. In response, the examiner disagrees. As noted above both Anderson and Koelsch show the threaded portion of the bolt to have a length less than the counter-bores (see Anderson's Fig. 3 and Koelsch's Fig. 6). Furthermore, the device would not be operable if the threaded portion of the bolt were greater than the counter-bores because then the threads would engage prior to proper alignment.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Flemming Saether whose telephone number is 571-272-7071. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Flemming Saether  
Primary Examiner  
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